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10 SEP 2003

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In re Application of	:
Bura et al.	:
Application No.: 10/018,621	: DECISION ON
PCT No.: PCT/GB00/02224	:
Int. Filing Date: 08 June 2000	: RENEWED PETITION
Priority Date: 18 June 1999	:
Attorney's Docket No.: 508-042.008	: UNDER 37 CFR 1.47(a)
For: BRIDGE JOINT	:

This is a decision in response to the "REQUEST FOR RECONSIDERATION ON THE MERITS IN RESPONSE TO DECISION ON PETITION UNDER 37 CFR §1.47(a)" filed on 11 July 2003. No further petition fee is due.

BACKGROUND

On 08 June 2000, applicants filed international application PCT/GB00/02224 that claimed priority of an earlier British application filed 18 June 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 28 December 2000. A Demand for international preliminary examination, in which the United States was elected, was filed on 15 January 2001 prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee for the national stage in the United States expired at midnight on 18 December 2001.

On 17 December 2001, applicants filed a letter for entry into the national stage in the United States which was accompanied by, *inter alia*, a copy of the international application and the basic national fee of \$445 as required by 35 U.S.C. 371(c). These papers were assigned application number 10/018,621.

On 05 February 2002, the United States Patent and Trademark Office in its capacity as an Elected Office mailed the "NOTIFICATION OF MISSING

REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) indicating that applicant was required to file an oath/declaration. The notification set a two-month time period in which to respond.

On 08 August 2002, applicants filed a petition under 37 CFR 1.47(a). On 08 May 2003, a decision was mailed to applicant indicating that applicants had not provided any proof that the missing joint inventor refused to sign or could not be reached after diligent effort.

### DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing inventor. The petition is missing item (2) above.

With respect to item (1), applicant included the \$130 petition fee with the earlier filed petition. With respect to item (3), applicant provided inventor Bura's last known address with the earlier filed petition. With respect to item (4), applicant provided a declaration signed by inventor Seamus with the earlier filed petition.

With respect to item (2), inventor Seamus has supplied an affidavit indicating that he has made attempts to locate inventor Bura but has not had any success. He called and wrote to inventor Bura's last known address as well as contacted mutual friends. However, no one has been able to locate inventor Bura.

### CONCLUSION

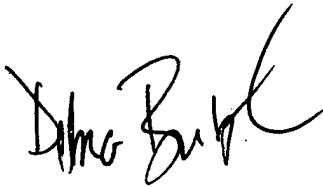
For the reasons above, the petition under 37 CFR 1.47(a) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given an international filing date of 08 June 2000 under 35 U.S.C. 363, and a date of 08 August 2002 under 35 U.S.C. 371.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application is being returned to the International Division for processing as the U.S. National Stage of the above-identified international application.



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PCT Legal Office



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### OFFICIAL GAZETTE NOTICE

#### 37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of all inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventor. The inventor whose signature is missing (Mr. Michael Bura) may join in the application by promptly filing an appropriate oath or Declaration complying with 37 CFR 1.63. The international application number is PCT/GB00/02224 and was filed on 28 December 2000 in the names of Michael Bura and Seamus Devlin for the invention entitled BRIDGE JOINT. The national stage application number is 10/018,621 and has a 35 U.S.C. 371 date of 08 August 2002.



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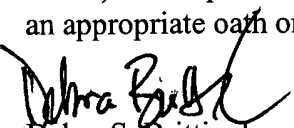
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In re Application of: Bura , et al.  
Application No.: 10/018,621  
PCT No.: PCT/GB00/02224  
Int. Filing Date: 28 December 2000  
Attorney's Docket No.: 508-042.008  
For: BRIDGE JOINT

Dear Mr. Bura:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

  
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